

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 5/6/2021
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

JORGE CASTILLO,

Defendant.

1:19-cr-784-GHW

ORDER

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GREGORY H. WOODS, District Judge:

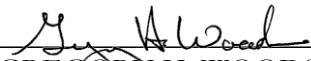
Mr. Horn's May 6, 2021 request to be compensated under the Criminal Justice Act ("CJA") for his time spent working on the jury trial in this matter, Dkt. No. 94, is denied.

During the April 9, 2021 conference, the Court stated, in no uncertain terms, that it was appointing only one attorney, Mr. Russo, to be compensated under the CJA. During that conference, defense counsel agreed on the record that only one attorney would be appointed and with the Court's statement that "[a]rrangements with respect to compensation or not compensation for that other attorney, that is, whether or not counsel were to share their fee, would be up to the counsel, it would not be a matter for the Court." Apr. 9, 2021 Conference Tr. 8:16-9:6; *see also id.* 9:7-25 (the Court explaining that "[m]y expectation is that one of you will be appointed as CJA counsel, the other will not. The person who is not CJA counsel will not bill Mr. Castillo for his time. Whether they are doing the work either pro bono or subject to some kind of fee arrangement devised between the two of you" and Mr. Russo responding "I will take the appointment and I will make whatever arrangements are necessary with Mr. Horn."); 11:10-14 (the Court stating that "[its] understanding is that Mr. Horn is essentially volunteering his time. He is not withdrawing as counsel for Mr. Castillo so he remains as counsel of record for him" and Mr. Horn responding "[t]hank you.").

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 94.

SO ORDERED.

Dated: May 6, 2021  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge